

**BAKER & HOSTETLER LLP**

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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

J. EZRA MERKIN, GABRIEL CAPITAL, L.P.,  
ARIEL FUND LTD., ASCOT PARTNERS, L.P.,  
ASCOT FUND LTD., GABRIEL CAPITAL  
CORPORATION,

Defendants.

Adv. Pro. No. 09-01182 (SMB)

**SUPPLEMENTAL DECLARATION OF LAN HOANG IN FURTHER  
SUPPORT OF TRUSTEE'S MOTIONS *IN LIMINE* NUMBERS 1, 3, AND 4**

I, Lan Hoang, declare the following:

1. I am a Partner with the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff (“Madoff”).

2. I submit this declaration in support of the Trustee’s Reply in Further Support of Motion *in Limine* Number 1 to Exclude All Evidence and Testimony on the Actions or Inactions of the United States Securities and Exchange Commission; the Trustee’s Reply in Further Support of Motion *in Limine* Number 3 to Exclude the Opinions and Testimony of Jeffrey M. Weingarten; and the Trustee’s Reply in Further Support of Motion *in Limine* Number 4 to Exclude Exhibits Not Produced During Discovery.

3. True and correct copies of the following documents are attached:

Exhibit 21: Excerpts from the deposition transcript of Jeffrey M. Weingarten dated July 15, 2015.

Exhibit 22: Randall Smith, *Wall Street Mystery Features a Big Board Rival*, WALL STREET J., Dec. 16, 1992 at GCC-P 0393125-126, part of “Merkin’s Madoff File,” Ex. 363 to the Deposition of J. Ezra Merkin February 24-25, 2015, GCC-P 0393096–3607 (full exhibit available upon request).

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C § 1746(2).

Dated: June 13, 2017  
New York, New York

By: /s/ Lan Hoang  
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